

Senate Bill No. 432

Passed the Senate August 22, 2006

Secretary of the Senate

Passed the Assembly August 10, 2006

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend, repeal, and add Sections 26721.2 and 26750 of the Government Code, relating to county fees.

LEGISLATIVE COUNSEL'S DIGEST

SB 432, Alquist. County fees.

Existing law specifically authorizes the county board of supervisors to increase or decrease fees and charges with specified exceptions, such as fees for the performance of services by the sheriff.

This bill, commencing January 1, 2008, would increase from \$30 to \$35 sheriffs' fees for serving a summons for an action commenced in superior court and related documents and notices, and, commencing January 1, 2008, would increase from \$25 to \$30 the fee for serving an earnings withholding order.

The people of the State of California do enact as follows:

SECTION 1. Section 26721.2 of the Government Code is amended to read:

26721.2. (a) For any action commenced in the superior court, the fee for the service of the summons, the complaint for which the summons is issued, and all other documents or notices required to be served with the summons and complaint, is thirty dollars (\$30).

(b) This section shall remain in effect only until January 1, 2008, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2008, deletes or extends that date.

SEC. 2. Section 26721.2 is added to the Government Code, to read:

26721.2. (a) For any action commenced in the superior court, the fee for the service of the summons, the complaint for which the summons is issued, and all other documents or notices required to be served with the summons and complaint, is thirty-five dollars (\$35).

(b) This section shall become operative on January 1, 2008.

SEC. 3. Section 26750 of the Government Code is amended to read:

26750. (a) The fee for serving an earnings withholding order under the Wage Garnishment Law, Chapter 5 (commencing with Section 706.010) of Division 2 of Title 9 of Part 2 of the Code of Civil Procedure, including but not limited to the costs of postage or traveling, and for performing all other duties of the levying officer under that law with respect to the levy shall be twenty-five dollars (\$25).

(b) Except as provided in Section 26746, no additional fees, costs, or expenses may be charged by the levying officer for performing the duties under the Wage Garnishment Law, Chapter 5 (commencing with Section 706.010) of Division 2 of Title 9 of Part 2 of the Code of Civil Procedure.

(c) This section shall remain in effect only until January 1, 2008, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2008, deletes or extends that date.

SEC. 4. Section 26750 is added to the Government Code, to read:

26750. (a) The fee for serving an earnings withholding order under the Wage Garnishment Law (Chapter 5 (commencing with Section 706.010) of Division 2 of Title 9 of Part 2 of the Code of Civil Procedure), including, but not limited to, the costs of postage or traveling, and for performing all other duties of the levying officer under that law with respect to the levy shall be thirty dollars (\$30).

(b) Except as provided in Section 26746, no additional fees, costs, or expenses may be charged by the levying officer for performing the duties under the Wage Garnishment Law (Chapter 5 (commencing with Section 706.010) of Division 2 of Title 9 of Part 2 of the Code of Civil Procedure).

(c) This section shall become operative on January 1, 2008.

Approved _____, 2006

Governor